# Military Grievances External Review Committee

## 2015-16

### Report on Plans and Priorities

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The Honourable Jason T. Kenney, PC, MP.
Minister of National Defence

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## Table of Contents


Chairperson's Message ..... 1

Section I: Organizational Expenditure Overview ..... 3

- Organizational Profile ..... 3
- Organizational Context ..... 4
- Planned Expenditures ..... 9
- Alignment of Spending With the Whole-of-Government Framework ..... 10
- Departmental Spending Trend ..... 11
- Estimates by Vote ..... 11

Section II: Analysis of Programs by Strategic Outcome ..... 13

- Strategic Outcome: The Chief of the Defence Staff and members of the Canadian Armed Forces have access to a fair, independent and timely review of military grievances. ..... 13
- Program 1.1: Independent review of military grievances ..... 14
- Internal Services ..... 16

Section III: Supplementary Information ..... 19

- Future-Oriented Statement of Operations ..... 19
- Tax Expenditures and Evaluations ..... 20

Section IV: Organizational Contact Information ..... 21

Appendix: Definitions ..... 23

Endnotes ..... 27

# Chairperson's Message

As the Chairperson of the Military Grievances External Review Committee, I am pleased to submit the Committee's 2015-16 Report on Plans and Priorities.

This document presents the Committee's 2015-16 plans to meet its priorities with regards to operational efficiency and management excellence, while remaining ready to respond to any change to the context in which it operates.

In the coming two years, the Committee expects a significant increase in grievance referrals mostly due to the Chief of the Defense Staff's decision to reduce the Canadian Armed Forces' grievance backlog at the Initial Authority level (Operation RESOLUTION) [1]. In order to contribute to this effort, the Committee will continue to put in place measures and strategies that will ensure the organization maintains its ability and agility to handle cases in a fair and expeditious manner without compromising the quality of its Findings and Recommendations.

On the internal services level, the Committee will continue to ensure that proper instruments are in place to support operations, particularly in the areas of finance, human resources and IT. Other plans include assessing the results of the Public Service Employee Survey and external audits and implementing any action that may be required; migrating our Human Resources platform to PeopleSoft; implementing Twitter as a new social media strategy; and completing the migration of the Committee's Web site content to the new *www.Canada.ca* Web site. As well, the Committee will continue to engage its staff in Destination 2020 and will implement the results of this broad consultation of public servants about the future of the Public Service.

Every year brings its own share of challenges and opportunities. Next year will be no exception. However, I am confident that the Committee and its staff will face the challenges, seize the opportunities and succeed in achieving the plans outlined in this report. Together, we will continue to strive to achieve our vision - *To be a centre of expertise in military grievances and a model administrative tribunal, through fair and efficient processes, professionalism, and good governance.*

Bruno Hamel
Chairperson

[1] Operation RESOLUTION aims at reducing the Initial Authority grievance backlog by at least 95% by the end of 2014 (31 March 2015 for the Director General Compensation and Benefits) while concurrently ensuring that Initial Authorities posture themselves to resolve grievances received after 1 June 2014 within four months on a steady state.

# Section I: Organizational Expenditure Overview

## Organizational Profile

**Appropriate Minister:** Jason T. Kenney, P.C., Q.C., M.P.

**Institutional head:** Bruno Hamel, Chairperson

**Ministerial Portfolio**: National Defence

**Enabling Instrument:** National Defence Act, *R.S.C. 1985, c. N-5*[i]

**Year of Incorporation / Commencement:** 2000

**Other:** *About the Committee*[ii]

### Mandate

The Military Grievances External Review Committee is an independent administrative tribunal reporting to Parliament through the Minister of National Defence.

The Military Grievances External Review Committee reviews military grievances referred to it pursuant to section 29 of the *National Defence Act* and provides findings and recommendations to the Chief of the Defence Staff and the Canadian Armed Forces member who submitted the grievance.

# Organizational Context

## Raison d'être

The *raison d'être* of the Military Grievances External Review Committee is to provide an independent and external review of military grievances. Section 29 of the *National Defence Act* (NDA) provides a statutory right for an officer or a non-commissioned member who has been aggrieved, to grieve a decision, an act or an omission in the administration of the affairs of the Canadian Armed Forces. The importance of this broad right cannot be overstated since it is, with certain narrow exceptions, the only formal complaint process available to Canadian Armed Forces members.

## Responsibilities

The Committee reviews military grievances referred to it and provides findings and recommendations (F&Rs) to the Chief of the Defence Staff (CDS) and the officer or non-commissioned member who submitted the grievance.

The Committee also has the obligation to deal with all matters before it as informally and expeditiously as the circumstances and the considerations of fairness permit.

## Strategic Outcome and Program Alignment Architecture

1. **Strategic Outcome:** The Chief of the Defence Staff and members of the Canadian Armed Forces have access to a fair, independent and timely review of military grievances.
   - **1.1. Program:** Independent review of military grievances

**Internal Services**

## Organizational Priorities

| Priority | Type[2] | Program |
|---|---|---|
| #1 Operational Performance - Ensure optimum productivity and excellence. | Ongoing | Independent review of military grievances. |

**Description**

**Why is this a priority?**

To ensure high quality and timely Findings and Recommendations (F&Rs) thereby contributing to the fairness and efficiency of the grievance process.

**What are the plans for meeting this priority?**

- Monitor and manage quality and internal production timelines and employees' performance.
- Conduct assessments of the Committee's internal grievance review processes and regularly monitor workload planning assumptions.
- Review and assess Final Authority (FA) and Federal Court decisions.
- Conduct and assess surveys of targeted stakeholders.

[2] Type is defined as follows: **previously committed to**—committed to in the first or second fiscal year prior to the subject year of the report; **ongoing**—committed to at least three fiscal years prior to the subject year of the report; and **new**—newly committed to in the reporting year of the RPP or DPR. If another type that is specific to the department is introduced, an explanation of its meaning must be provided.

| Priority | Type | Program |
|---|---|---|
| #2 Communicate the Committee's role, results and activities. | Ongoing | Independent review of military grievances. |

**Description**

**Why is this a priority?**

To ensure that stakeholders have a better awareness and understanding of the Committee's role, results and activities. To share the Committee's perspective on significant issues arising from our review of grievances.

**What are the plans for meeting this priority?**

- Communicate the Committee's results of its work through base visits, publications and various forums.
- Publish summaries of cases reviewed as well as recommendations made to the Final Authority (FA) on issues of a systemic nature.
- Conduct and assess surveys of targeted stakeholders.

| Priority | Type | Program |
|---|---|---|
| #3 Exercise leadership and maintain overall effective management of the Committee. | Ongoing | Independent review of military grievances. |

**Description**

**Why is this a priority?**

To meet government-wide management and accountability priorities through management excellence and sound internal oversight.

**What are the plans for meeting this priority?**

- Ensure sound stewardship of resources, focusing on efficiency gains, partnership opportunities and productivity.
- Standardize selected business processes and systems with whole of government initiatives, such as PeopleSoft, the common Enterprise Resource Planning (ERP).
- Continue engagement processes by creating an employee consultation mechanism on line.
- Manage the Public Service Survey and external audits results, and implement accepted recommendations.
- Ensure a healthy and productive workplace where staff are motivated and encouraged to develop their professional skills.

## Risk Analysis

### Key Risks

| Risk | Risk Response Strategy | Link to Program Alignment Architecture |
|---|---|---|
| Risk #1 – Committee's relevance.<br>The risk was rated as moderate. | ▪ Ensure the quality and timeliness of our product.<br>▪ Implement a communications strategy. | Independent review of military grievances. |
| Risk #2 – Significant fluctuations in volume of grievances received.<br>The risk was rated as moderate. | ▪ Monitor workload planning assumptions.<br>- Integrated Business and Human Resources Planning (IBHRP).<br>▪ Communicate regularly with the Canadian Armed Forces.<br>▪ Ensure appropriate staffing strategies are in place.<br>▪ Track financial situation and workload.<br>▪ Review internal grievance process. | Independent review of military grievances. |
| Risk #3 – Human Resources capacity and competencies.<br>The risk was rated as moderate. | ▪ Plan for succession in key positions.<br>▪ Develop a variety of staffing mechanisms and alternatives.<br>▪ Anticipate and risk manage staffing levels.<br>▪ Provide training opportunities.<br>▪ Implement a continuous learning process.<br>▪ Enhance the leadership competencies of management.<br>▪ Monitor workload volumes.<br>▪ Establish **S**pecific, **M**easurable, **A**ttainable, **R**elevant and **T**rackable (SMART) work objectives and clear expectations for employees.<br>▪ Inform the Minister of National Defence of any upcoming Committee member's vacancies.<br>▪ Create a healthy workplace environment. | Independent review of military grievances. |

Risk #1 – There is a risk that the Committee will be perceived as not adding value to the Canadian Armed Forces grievance process. Some risk drivers include: the quality and timeliness of the Committee's Findings and Recommendations (F&R). To mitigate this risk, the Committee will:

- monitor its internal grievance process and timelines
- provide key and focussed training to staff and Committee Members.
- communicate the role and results of its work to Canadian Armed Forces stakeholders and to parliamentarians.

Risk # 2 – There is a risk that the Committee will be unable to adapt to a significant fluctuation of grievances. The Committee has no control over the volume of cases referred to it by the Canadian Armed Forces. As a micro organization, it has limited capacity to react to a sudden influx of grievances. This could result in not meeting its internal production standards. To mitigate this risk, the Committee will:

- conduct regular assessments of its internal grievance review processes to identify further opportunities for streamlining.
- monitor workload planning assumptions and ensure appropriate and flexible staffing strategies are put in place.

Risk # 3 – There is a risk that the Committee will not have the appropriate staff to carry out its mandate. A risk factor is that the members of the Committee are appointed and their mandates renewed by the Governor in Council (GIC). Another factor is the capacity to recruit and retain a skilled workforce. The Committee's effectiveness is due in large part to its knowledgeable and stable workforce. However, it is challenging to retain employees because the size of the organization limits the number of internal opportunities for advancement. To mitigate this risk, the Committee will:

- plan for succession in key positions and develop a variety of staffing mechanisms.
- ensure knowledge transfer by developing lessons learned, procedures and manuals.

# Planned Expenditures

## Budgetary Financial Resources (Planned Spending—dollars)

| 2015-16 Main Estimates | 2015-16 Planned Spending | 2016-17 Planned Spending | 2017-18 Planned Spending |
|---|---|---|---|
| 6,741,810 | 6,647,000 | 6,737,610 | 6,737,610 |

## Human Resources (Full-time equivalents—FTEs)

| 2015-16 | 2016-17 | 2017-18 |
|---|---|---|
| 46 | 46 | 46 |

## Budgetary Planning Summary for Strategic Outcome and Program (dollars)

| Strategic Outcome, Program and Internal Services | 2012–13 Expenditures | 2013–14 Expenditures | 2014–15 Forecast Spending | 2015–16 Main Estimates | 2015–16 Planned Spending | 2016–17 Planned Spending | 2017–18 Planned Spending |
|---|---|---|---|---|---|---|---|
| **Strategic Outcome**: The Chief of the Defence Staff and members of the Canadian Armed Forces have access to a fair, independent and timely review of military grievances | | | | | | | |
| **P138-0001 Independent review of military grievances.** | 3,847,015 | 4,050,351 | 4,199,000 | 4,719,267 | 4,653,000 | 4,716,327 | 4,716,327 |
| **Subtotal** | 3,847,015 | 4,050,351 | 4,199,000 | 4,719,267 | 4,653,000 | 4,716,327 | 4,716,327 |
| **Internal Services Subtotal** | 2,003,221 | 1,930,654 | 1,587,000 | 2,022,543 | 1,994,000 | 2,021,283 | 2,021,283 |
| **Total** | 5,850,236 | 5,981,005 | 5,786,000 | 6,741,810 | 6,647,000 | 6,737,610 | 6,737,610 |

The Military Grievances External Review Committee is estimating budgetary expenditures of $6,647,000. The Committee's expenditures remain approximately the same as the previous years.

# Alignment of Spending With the Whole-of-Government Framework

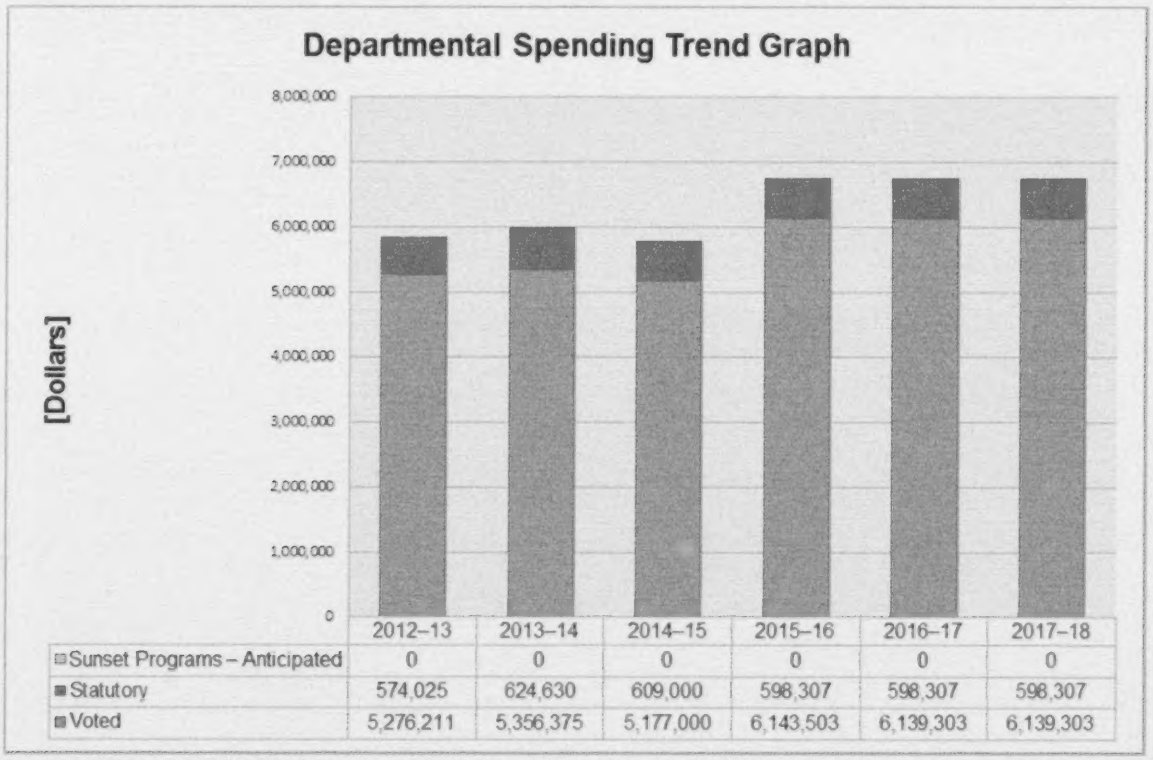
## Alignment of 2015–16 Planned Spending With the *Whole-of-Government Framework*[iii] (dollars)

| Strategic Outcome | Program | Spending Area | Government of Canada Outcome | 2015–16 Planned Spending |
|---|---|---|---|---|
| 1 The Chief of the Defence Staff and members of the Canadian Armed Forces have access to a fair, independent and timely review of military grievances. | 1.1 Independent review of military grievances. | Government Affairs | Well managed and efficient government operations. | 4,653,000 |

## Total Planned Spending by Spending Area (dollars)

| Spending Area | Total Planned Spending |
|---|---|
| Government Affairs | 6,647,000 |

## Departmental Spending Trend




| | 2012–13 | 2013–14 | 2014–15 | 2015–16 | 2016–17 | 2017–18 |
|---|---|---|---|---|---|---|
| Sunset Programs – Anticipated | 0 | 0 | 0 | 0 | 0 | 0 |
| Statutory | 574,025 | 624,630 | 609,000 | 598,307 | 598,307 | 598,307 |
| Voted | 5,276,211 | 5,356,375 | 5,177,000 | 6,143,503 | 6,139,303 | 6,139,303 |

## Estimates by Vote

For information on the Military Grievances External Review Committee's organizational appropriations, consult the *2015–16 Main Estimates*[iv] on the Treasury Board of Canada Secretariat website.

# Section II: Analysis of Programs by Strategic Outcome

## Strategic Outcome: The Chief of the Defence Staff and members of the Canadian Armed Forces have access to a fair, independent and timely review of military grievances.

### Performance Measurement

| Performance Indicators | Targets | Date to be Achieved |
|---|---|---|
| Percentage of clients who are satisfied with the Committee's ability to improve the administration of the affairs of the Canadian Armed Forces (CAF) through the quality of its Findings and Recommendations (F&R) and the information tools it provides. | 75% of respondents are satisfied. | 04/2016 |
| Trend in % of surveyed grievors who are satisfied with the fairness, equity and transparency of the process. | 70% of grievors are satisfied. | 04/2016 |
| % of systemic recommendations accepted by the Chief of the Defence staff. | 75% of systemic recommendations are accepted. | 04/2016 |
| % of cases where the Committee's established grievance process timeline standards were met. | Established standards are met 75% of the time. | 04/2016 |

## Program 1.1: Independent review of military grievances.

**Description:** The Military Grievances External Review Committee, an independent tribunal, reviews military grievances referred to it pursuant to section 29 of the *National Defence Act* which provides a statutory right for an officer or a non-commissioned member who has been aggrieved, to grieve a decision, an act or an omission in the administration of the affairs of the Canadian Armed Forces; this is, with certain narrow exceptions, the only formal complaint process available to members of the Canadian Armed Forces.

The Committee provides findings and recommendations to the Chief of the Defence Staff and the member who submitted the grievance. The findings and recommendations may also identify issues with policies or other matters of broad concern. The Committee conducts its review as informally and expeditiously as the circumstances and the considerations of fairness permit.

The Committee reports the results of its activities through its annual report and various publications.

### Budgetary Financial Resources (dollars)

| 2015-16 Main Estimates | 2015-16 Planned Spending | 2016-17 Planned Spending | 2017-18 Planned Spending |
|---|---|---|---|
| 4,719,267 | 4,653,000 | 4,716,327 | 4,716,327 |

### Human Resources (FTEs)

| 2015-16 | 2016-17 | 2017-18 |
|---|---|---|
| 32 | 32 | 32 |

## Performance Measurement

| Expected Results | Performance Indicators | Targets | Date to be Achieved |
|---|---|---|---|
| Intermediate Outcome – Enhanced confidence in the grievance process and the administration of the affairs of the Canadian Armed Forces (CAF). | % of stakeholders that agree that the external review provided by the Committee adds to the adjudicative fairness of the process. | 75% of respondents agree. | 04/2016 |
| Immediate Outcome – The Chief of the Defence Staff (CDS) is assisted in rendering decisions on grievances and is informed of systemic issues. | % of Findings and Recommendations (F&R) with which the CDS disagrees on the basis of error in law or fact. | Less than 10% of the cases upon which the CDS disagrees or 1% of all files. | 04/2016 |
| Immediate Outcome – Stakeholders have an increased awareness and understanding of the grievance process, regulations, policies and guidelines affecting Canadian Armed Forces (CAF) members. | % of positive feedback from external stakeholders on the usefulness of publications of case summaries, systemic recommendations and lessons learned. | 75% of respondents agree on the usefulness. | 04/2016 |

**Planning Highlights**

Efforts under this program will support the Committee's Priority #1: Ensure optimum productivity and excellence and Priority #2: Communicate the Committee's role, results and activities, as described in the section *Organizational Priorities*. At the same time, the Committee will manage risks related to its relevance and to the significant fluctuation in volume of grievances received as described in the section *Risk Analysis*. To support this program, the Committee will undertake the following key initiatives in 2015-16:

- Monitor its caseload to assess resource levels going forward. The purpose of this activity is to collect and analyze performance indicator data, assess performance against stated targets and report this information in its annual Departmental Performance Report to Parliament. The information and findings from the assessment will also be used to make informed adjustments to its internal grievance review process; all the while focusing on productivity and maintaining the high quality of its product.
- Conduct evaluations of the effectiveness of communications activities.
- Introduce Twitter as the Committee's Social Media platform to conduct some of its outreach activities and to obtain feedback from stakeholders and target audiences.

## Internal Services

**Description:**

Internal Services are groups of related activities and resources that are administered to support the needs of programs and other corporate obligations of an organization. Internal services include only those activities and resources that apply across an organization, and not those provided to a specific program. The groups of activities are Management and Oversight Services; Communications Services; Legal Services; Human Resources Management Services; Financial Management Services; Information Management Services; Information Technology Services; Real Property Services; Materiel Services; and Acquisition Services.

### Budgetary Financial Resources (dollars)

| 2015-16 Main Estimates | 2015-16 Planned Spending | 2016-17 Planned Spending | 2017-18 Planned Spending |
|---|---|---|---|
| 2,022,543 | 1,994,000 | 2,021,283 | 2,021,283 |

### Human Resources (FTEs)

| 2015-16 | 2016-17 | 2017-18 |
|---|---|---|
| 14 | 14 | 14 |

**Planning Highlights**

Efforts under this program will support the Committee's Priority #3: Exercise leadership and maintain overall effective management of the Committee, as described in the section *Organizational Priorities*. At the same time, the Committee will manage risks related to its Human Resources capacity and competencies as described in the section *Risk Analysis*. To support this program, the Committee will undertake the following key initiatives in 2015-16:

- Seek effective and efficient internal service delivery solutions in line with the broader government agenda.
- Strengthen management practices by building on its integrated planning process and aligning its human resources plan with financial, asset and information resources required to deliver on its statutory mandate.
- Seek opportunities to share services with other Small Departments and Agencies (SDAs) to reduce overall cost to government.

# Section III: Supplementary Information

## Future-Oriented Statement of Operations

The future-oriented condensed statement of operations provides a general overview of the Military Grievances External Review Committee's operations. The forecast of financial information on expenses and revenues is prepared on an accrual accounting basis to strengthen accountability and to improve transparency and financial management.

Because the future-oriented condensed statement of operations is prepared on an accrual accounting basis, and the forecast and planned spending amounts presented in other sections of the Report on Plans and Priorities are prepared on an expenditure basis, amounts differ.

A more detailed future-oriented statement of operations and associated notes, including a reconciliation of the net cost of operations to the requested authorities, can be found on the *Military Grievances External Review Committee's* [v] website.

Future-Oriented Condensed Statement of Operations
For the Year Ended March 31, 2015
(dollars)

| Financial Information | 2014–15 Estimated Results | 2015–16 Planned Results | Difference |
|---|---|---|---|
| Total expenses | 6,201,000 | 7,052,000 | 851,000 |
| Total revenues | – | – | – |
| Net cost of operations | 6,201,000 | 7,052,000 | 851,000 |

Estimated results in 2014-15 are lower than 2015-16 due to planned savings in operating expenditures in 2014-15.

## Tax Expenditures and Evaluations

The tax system can be used to achieve public policy objectives through the application of special measures such as low tax rates, exemptions, deductions, deferrals and credits. The Department of Finance Canada publishes cost estimates and projections for these measures annually in the *Tax Expenditures and Evaluations*[vi] publication. The tax measures presented in the ***Tax Expenditures and Evaluations*** publication are the responsibility of the Minister of Finance.

# Section IV: Organizational Contact Information

**Military Grievances External Review Committee**

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# Appendix: Definitions

**appropriation:** Any authority of Parliament to pay money out of the Consolidated Revenue Fund.

**budgetary expenditures:** Include operating and capital expenditures; transfer payments to other levels of government, organizations or individuals; and payments to Crown corporations.

**Departmental Performance Report:** Reports on an appropriated organization's actual accomplishments against the plans, priorities and expected results set out in the corresponding Reports on Plans and Priorities. These reports are tabled in Parliament in the fall.

**full-time equivalent:** Is a measure of the extent to which an employee represents a full person-year charge against a departmental budget. Full-time equivalents are calculated as a ratio of assigned hours of work to scheduled hours of work. Scheduled hours of work are set out in collective agreements.

**Government of Canada outcomes:** A set of 16 high-level objectives defined for the government as a whole, grouped in four spending areas: economic affairs, social affairs, international affairs and government affairs.

**Management, Resources and Results Structure:** A comprehensive framework that consists of an organization's inventory of programs, resources, results, performance indicators and governance information. Programs and results are depicted in their hierarchical relationship to each other and to the Strategic Outcome(s) to which they contribute. The Management, Resources and Results Structure is developed from the Program Alignment Architecture.

**non-budgetary expenditures:** Include net outlays and receipts related to loans, investments and advances, which change the composition of the financial assets of the Government of Canada.

**performance:** What an organization did with its resources to achieve its results, how well those results compare to what the organization intended to achieve and how well lessons learned have been identified.

**performance indicator:** A qualitative or quantitative means of measuring an output or outcome, with the intention of gauging the performance of an organization, program, policy or initiative respecting expected results.

**performance reporting:** The process of communicating evidence-based performance information. Performance reporting supports decision making, accountability and transparency.

**planned spending:** For Reports on Plans and Priorities (RPPs) and Departmental Performance Reports (DPRs), planned spending refers to those amounts that receive Treasury Board approval by February 1. Therefore, planned spending may include amounts incremental to planned expenditures presented in the Main Estimates.

A department is expected to be aware of the authorities that it has sought and received. The determination of planned spending is a departmental responsibility, and departments must be able to defend the expenditure and accrual numbers presented in their RPPs and DPRs.

**plans:** The articulation of strategic choices, which provides information on how an organization intends to achieve its priorities and associated results. Generally a plan will explain the logic behind the strategies chosen and tend to focus on actions that lead up to the expected result.

**priorities:** Plans or projects that an organization has chosen to focus and report on during the planning period. Priorities represent the things that are most important or what must be done first to support the achievement of the desired Strategic Outcome(s).

**program:** A group of related resource inputs and activities that are managed to meet specific needs and to achieve intended results and that are treated as a budgetary unit.

**Program Alignment Architecture:** A structured inventory of an organization's programs depicting the hierarchical relationship between programs and the Strategic Outcome(s) to which they contribute.

**Report on Plans and Priorities:** Provides information on the plans and expected performance of appropriated organizations over a three-year period. These reports are tabled in Parliament each spring.

**results:** An external consequence attributed, in part, to an organization, policy, program or initiative. Results are not within the control of a single organization, policy, program or initiative; instead they are within the area of the organization's influence.

**Strategic Outcome:** A long-term and enduring benefit to Canadians that is linked to the organization's mandate, vision and core functions.

**sunset program:** A time-limited program that does not have an ongoing funding and policy authority. When the program is set to expire, a decision must be made whether to continue the program. In the case of a renewal, the decision specifies the scope, funding level and duration.

**target:** A measurable performance or success level that an organization, program or initiative plans to achieve within a specified time period. Targets can be either quantitative or qualitative.

**whole-of-government framework:** Maps the financial contributions of federal organizations receiving appropriations by aligning their Programs to a set of 16 government-wide, high-level outcome areas, grouped under four spending areas.

# Endnotes

i. *National Defence Act* (R.S.C., 1985, c. N-5), *http://laws-lois.justice.gc.ca/eng/acts/n-5/page-9.html*

ii. About the committee, *http://www.mgerc-ceegm.gc.ca/index-eng.html*

iii. Whole-of-government framework, *http://www.tbs-sct.gc.ca/ppg-cpr/frame-cadre-eng.aspx*

iv. *2015–16 Main Estimates*, *http://publiservice.tbs-sct.gc.ca/ems-sgd/esp-pbc/me-bpd-eng.asp*

v. Future-Oriented Statement of Operations, *http://mgerc-ceegm.gc.ca/rpt/fsr-ref/fo-pr/index-eng.html*

vi. *Tax Expenditures and Evaluations* publication, *http://www.fin.gc.ca/purl/taxexp-eng.asp*